

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

BRITTANY KELLY

CIVIL ACTION NO. 6:20-CV-00646

VERSUS

JUDGE JUNEAU

PHYSICIANS MUTUAL ET AL

MAGISTRATE JUDGE HANNA

JUDGMENT


THIS MATTER was referred to United States Magistrate Judge Patrick J. Hanna for report and recommendation. After an independent review of the record, and noting the absence of any objections, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that, consistent with the report and recommendation, Physicians Mutual and Trevor Braun's Motion for Partial Summary Judgment, Rec. Doc. 15, is **GRANTED**, and Plaintiff's remaining LEDL claim against Physicians Mutual is **DISMISSED WITH PREJUDICE**.

Moreover, noting that Plaintiff has failed to amend her complaint to assert further factual allegations in support of her IIED claims as discussed in this Court's previous Judgment, Rec. Doc. 38, Physicians Mutual and Trevor Braun's Re-urged Motion to Dismiss, Rec. Doc. 40, is **GRANTED**. Likewise, James Shute's similar Motion to Dismiss, Rec. Doc. 42, is **GRANTED**. Thus, Plaintiff's IIED claims are

DISMISSED WITH PREJUDICE, thereby resolving all of Plaintiff's outstanding claims against Defendants Trevor Braun and James Shute.

THUS DONE AND SIGNED in Lafayette, Louisiana, on this 21st day of September, 2020.



MICHAEL J. JUNEAU
UNITED STATES DISTRICT JUDGE